

**TOWN OF ROCKY HILL
PLANNING AND ZONING COMMISSION
MEETING OF JUNE 18, 2014**

CALL TO ORDER

Chairman Desai called the Wednesday, June 18, 2014, meeting to order at 6:45 p.m. in the Town Council Room, Rocky Hill Town Hall, 761 Old Main Street, Rocky Hill, Connecticut.

Present: Dimple Desai, Chairman
Kevin Clements, Vice Chairman
Victor Zarrilli, Secretary
Carmen D'Agostino

Alternates: William O'Sullivan
Michael Casasanta

Also: Kimberley A. Ricci, Dir. Planning & Building/Asst. ZEO
Eileen A. Knapp, Recording Secretary

1. PUBLIC HEARINGS

A. Proposed settlement of zoning appeal entitled Elm Street Ext, Rocky Hill, LLC v. Rocky Hill Planning and Zoning Commission, with the appellant Elm Street Ext Rocky Hill LLC, proposing to resolve and settle its pending zoning appeal by revising the plans it originally submitted in August 2013, and denied November 6, 2013, as part of its application for a Special Permit and Site Plan approval for a medical office building with associated site improvements with frontage on Elm Street Extension, Rocky Hill, CT and designated as Assessor's ID # 12-157;

Commissioner Zarrilli said the biggest issue with this application was concerns about traffic. He asked Staff if it would be possible to get an independent traffic study for this proposal. Mrs. Ricci noted that this Appeal is still pending litigation and the applicant is here tonight trying to reach a settlement. There is a Town Ordinance, Chapter 114, called Development Applications, which allows for a peer review for additional technical, engineering or legal consultations. The Ordinance requires that the Applicant pay the 150% of the estimated cost. The Town Attorney did say asking for an independent traffic study would be appropriate for this Proposal.

Attorney Robert DeCrescenzo addressed the Commission representing the Appellant. They are here tonight to give a presentation of a proposed settlement of the appeal of the original decision from November of 2013. They have made a number of changes to the site plan in order to settle the appeal. He introduced the Applicant, Mr. Anthony Cavaliero.

Mr. Anthony Cavaleiro, 30-year Resident of Rocky Hill, addressed the Commission. He purchased the property 10 years ago with the intent of developing it. They originally proposed a hotel use, but it was denied. As a result he tried to find a project that would be more acceptable at the site. Working with the Economic Development Commission (EDC), they decided a medical use would be perfect for the neighborhood. He noted this is a commercial piece of property and he expects to develop it.

Mr. DeCrescenzo said this property is in a Commercial Zone and the use is a permitted use in this zone. The reason they are here is because it is in excess of 10,000 sq. ft., which under the Regulations, requires them to apply for a Special Permit. They are proposing the following 5 changes to the plan:

1. The building size is being reduced from 28,500 sq. ft. to 26,970 sq. ft.
2. They are proposing to put up a stop sign and “Local Traffic Only, No Right Turn, No Outlet” sign at the exit of the site.
3. The front yard landscaping will be increased from 8.1% to 12.6%, fully complying with Regulations.
4. The parking spaces will be reduced from 160 to 115 with accommodation for 36 reserve spaces if needed.
5. The Landscaping Plan is revised to increase the site landscaping and screening on the site from adjoining properties.

Atty. DeCrescenzo said traffic was the main reason for the original denial of the application. They have submitted a revised Traffic Study dated June 16, 2014. The Traffic Engineer was unable to come tonight so they are asking that the public hearing be left open in order to receive the signed version of the new Traffic Study and to have the Engineer go over the report. The conclusion of the new report was that it is their opinion that the approval of the proposed development will not have a significant impact on the traffic operations in the immediate vicinity. Atty. DeCrescenzo said they are willing to agree to an independent traffic study at the Applicant's expense, but they would like to discuss the 50% premium that is required.

Mr. Alan Bongiovanni addressed the Commission to go over the changes to the plans in more detail. The building footprint has been reduced by 1,530 sq. ft. By reducing the floor plan, they were able to reduce the parking spaces to 150. Also they are reserving 36 of these spaces in case there is a future need for them. With the reduction in the size of the building, they are now able to meet the requirement of landscaping 12.5% of the front yard be landscaped. He noted that this site plan meets or exceeds all requirements of the Town of Rocky Hill Planning and Zoning Regulations. The plantings on the site have been increased and enhanced from the original proposal. As you exit the site there will be signage so that exiting traffic knows that they cannot exit by taking a right hand turn.

Atty. DeCrescenzo said this application must also comply with Section 8.3 of the Regulations relating to special permits and its requirements.

Suitable Location for the use: This property is zoned C-commercial and it is adjacent to a commercial area on Route 3 so they believe this use is suitable here.

Location, size, nature and intensity: This revised plan can be considered a transitional use from the Commercial uses along Route 3 to the residential uses on top of Elm Street Extension. This is a fairly low-intensity use for a commercial district. The Applicant feels this plan is very much in harmony with the existing development in the area. Medical office buildings are usually not open on Sundays and they will probably only have 3 tenants.

Appropriate improvements: All requirements of the Regulations have been met, including setbacks, and lot coverage.

Suitable transportation conditions: The site is serviced by Route 3 and they have a Traffic Report stating that this proposal does not decrease the underlying traffic conditions and does not make traffic conditions worse.

Adequate public utilities and services: Due to the development's location to Route 3, there are adequate utilities and public services available.

Atty. DeCrescenzo said they believe this is a fair settlement for both the Town and the Applicant. This proposed settlement meets and/or exceeds every requirement of the Regulations and he asked that the Commission approve their proposal.

Public Comment

Mr. Alan Mordhorst of Maple Street addressed the Commission. He is the former Chairman of the Planning and Zoning Commission and served on the Commission when this application was denied last November. He was one of the three people who voted to deny the application. Mr. Mordhorst said the reason the application was denied was the size of the building and the traffic intensity.

The criteria they used was based upon Section 8.2.4d, regarding parking area. He read, "Parking area and exit drives to and from the public street are laid out so as to prevent traffic hazards and nuisances. Also "Ease of entrance to and exit from the development with a minimum of disturbance to outside traffic flow shall be considered of prime importance." This development would result in about 75 cars going in and out of the site per hour. Mr. Mordhorst doesn't think this constitutes a "minimum" disruption of traffic.

According to the Regulations, "consideration shall be given to the inclusion of arterial through streets with proper provisions made to minimize the effects of traffic through residential areas". Mr. Mordhorst said although the signage may help, you are not going to be able to completely prevent people from turning right as they exit the site.

The Special Permit Criteria, Section 8.3.6d, addressed suitable transportation, conditions stating that "the design location specific details for the proposed use shall not adversely affect safety in the streets nor increase traffic congestion in the area nor interfere with the pattern of vehicular circulations in such a manner as to create or augment unsafe traffic conditions". This development will result in about 600 cars going up and down this little street every day. This

will certainly increase the traffic in the area and Mr. Mordhorst doesn't believe the location is suitable for this much additional traffic especially with the steepness of the street and its close proximity to an elderly community at the top of the hill.

These are the reasons the application was rejected in November and Mr. Mordhorst asked that the Commission agree with the denial made in November.

Mr. Bill MacDonald of 32 Westridge Drive addressed the Commission. He feels that it would be a benefit to the Town and Applicant to work out a proposal settlement to avoid further legal costs. He is in support of the application and said that as a commercial property, something will eventually be built there. He feels this proposal is better than what they originally proposed and the traffic experts have stated that this development will not be detrimental to the traffic in the area. He asked the Commission to rely on the experts. He feels this proposal is good for the Town and good for economic development and asked the Commission to support it.

Mr. Vinnie Giuliani of 940 Cromwell Avenue addressed the Commission and said he agrees with Mr. MacDonald. He is also in support of the project. He feels that the proposed medical facilities and offices would benefit the elderly population in Rocky Hill, preventing them from having to travel out of town for services. He asked the Commission approve the proposal.

Ms. Judy Devokaitis of Dogwood Court addressed the Commission. She said no one has mentioned the Atrium, which is also on Elm Street Extension. This facility also generates a lot of traffic in and out and she hopes the Commission takes that into consideration.

Ms. Krista Mariner of 58 Farms Village Road addressed the Commission and distributed a handout detailing her concerns about this proposal. She thought that the Town Attorney should have attended this meeting to present the terms of the proposed settlement. She was upset that there was no Traffic Engineer present to go over the Traffic Study. Ms. Mariner said this project never went in front of the Economic Development Commission (EDC). Also, Special Permit paperwork was not submitted 21 days in advance as required by the Regulations, 8.3.4.a.2. She wonders what proof the Applicant has that they will actually be building a medical office building and not some other type of office building.

Ms. Mariner said she believes that Atty. DeCrescenzo is "mischaracterizing the process". Their letter makes it sound like there is a court mandated or court authorized settlement and there isn't. She wondered if this is technically a legal public hearing. This Commission cannot overturn a denial of a previous Commission. The November vote is still valid and will stand unless it is overturned by a court of law. According to Section 8.3.8 f of the Regulations, upon a denial of an application, the Commission shall not be required to hear the same application or substantially the same application for a period of 12 months after a decision has been made. Mr. Mariner feels this is "substantially" the same application. She asked the Commission to deny the settlement or to abstain from voting on it allowing the issue to go back to court "where it belongs". Ms. Mariner enclosed two legal cases to back up the interpretation that the Commission is entitled to use their judgment regarding traffic in addition to considering the Regulations, which was done on November 6, 2013.

Ms. Mariner said no speed limit is posted on Elm Street Extension and in Rocky Hill there is no presumed speed limit if one is not posted. Elm Street Ext. is a very narrow, steep road with limited site lines and no secondary outlets. Under these dangerous conditions she can't imagine adding a development that would generate additional traffic onto the road network.

Ms. Mariner questioned the accuracy of the site line analysis and asked that one be done by a third party. She wonders how site lines can be determined if there is no posted or presumed speed limit. She wonders if the site line calculations take into account the steep grade of the road.

Ms. Mariner said the Commission never made a motion to set this public hearing resulting in a technical flaw. She feels the legal process has not been followed. She asked that the Commission allow the legal process to proceed to its conclusion in the Courts.

Mr. Guy Carducci of 80 Falcon Ridge Road addressed the Commission in favor of the proposal. He feels the building will benefit all members of the Rocky Hill Community. He said he doesn't think cars taking a right out of the site will be an issue. He urged the Commission to support the proposal.

Mr. Dino Castellani of 6 Oslin Way addressed the Commission to oppose the proposal for a medical office building. The people of the Ridge at Elm are not worried about the landscaping; they are concerned about traffic safety. He also wondered if, legally, they should even be holding this public hearing. Castellani said Cromwell is a State road and the Town doesn't have control over the light at that intersection. This is the only way in and out of that area and what is being proposed will only make the problems worse. This is not a safe intersection and he feels the owner should find another use for the property.

Mr. Lou Manzilla of 241 Catherine Drive addressed the Commission in favor of the proposal. He said he helped the owner develop the idea for a medical office building and they thought it would be the best solution for the area. There will be an increase in traffic but medical appointments are spread throughout the day so there won't be a surge of traffic at one time. The traffic experts have stated that this won't adversely impact the existing traffic flow and the Commission should rely on that opinion.

Elma Reale of 21 Dogwood Court said Elm Street Extension is a dangerous street especially in the winter. She wondered if the bushes could be trimmed so you can look north on Cromwell Avenue as you turn right. She would like to see the intersection improved before they begin developing on Elm Street Ext.

Ms. Joanna Brier of 12 Knollwood Road addressed the Commission. She is also concerned about the traffic and although she is not an expert for the past 49 years she has been traveling through this intersection. The light doesn't allow for more than 3 or 4 cars to pass at a time and people frequently turn right on red although it is not permitted. She agrees that something should be done to improve the intersection whether or not this building is approved.

Ms. Gloria McClain of 16 Dogwood Court addressed the Commission. She moved to the Ridge at Elm a year ago because it offered her the independent living setting she was looking for. She is concerned because the traffic situation is dangerous and potentially fatal. Approving this proposal will undermine the quality of life of residents of the Ridge at Elm. She doesn't think drivers will heed the signs trying to deter them from taking a right hand turn out of the site. She thinks this office building will bring with it a traffic nightmare for anyone who uses Elm Street Extension. A development of this size demands an independent traffic study. The senior community is a significant part of the Rocky Hill population and they bring in considerable tax money for the town, while not burdening the Town for services. Mrs. McClain asked the Commission not to overturn their decision made less than a year ago.

Ms. Barbara Surwillo of 148 June Circle addressed the Commission. She served on the Planning and Zoning Commission from 1980-1992 and she was also the Chairman of the Regional Planning Commission of the Capital Region Council of Governments for 12 years. She said the Commission is in violation of the Freedom of Information Act because they did not make a motion to schedule this public hearing. She said it is an illegal meeting because it was not properly noticed under the FOI Act. Ms. Surwillo said the Commission is also in violation of its own Regulations because they cannot reconsider this application until November 16, 2014. She said a settlement discussion is not in the Commission's purview.

As far as the settlement before the Commission, Ms. Surwillo said Elm Street Extension is very steep, 13% in some areas. She pointed out that Traffic Engineers do make mistakes. She feels this is too heavy a use on a street with such a steep grade. She asked that the Commission request an independent Traffic Study on this street at the developer's expense. She pointed out that you cannot calculate site lines if there isn't a posted speed limit on the street. She would also like to see the building size reduced by at least half of what was originally proposed.

Finally, Ms. Surwillo said the Commission does not have to accept this settlement proposal. She said she is opposed to this development and thinks it is wrong for the location. She urged the Commission to consider the Rocky Hill citizens living at the Ridge at Elm. Route 3 was not meant to have such large developments and the roadway system can't handle the additional traffic. She asked the Commission to table this until they get a legal opinion about whether they should even be hearing this application.

Ms. Barbara Wisniewski of 6 Dogwood Court addressed the Commission and asked them look at this from the Resident's point of view. This community is a relevant, pertinent community of this Town. They are not worried about the landscaping; they are concerned about the traffic safety issues. The road is unsafe now and the stop sign at the exit of Dunkin' Donuts is hidden by bushes.

Ms. Eleanor Whalen of 31 Dogwood Court addressed the Commission. She said she is sure many people believe the Residents of Ridge at Elm are making a bigger deal out of this project than is necessary but to them, this is a very big deal. This affects their safety. The average age of residents is 70 years old and they deserve some consideration at taxpayers. She doubts the claims of the Traffic Engineer. She urged the Commission to consider the seniors before voting on this settlement.

Mr. Chris Casasanta of 98 Whitewood Drive addressed the Commission in support of the project and Mr. Cavaliero. He is in favor of development in Rocky Hill. He understands that the residents above the site are concerned but they knew this was a commercial property when the Town allowed a residential property to be built on the hill. He asked that the Commission approve the settlement. Any problems with the street and traffic safety should be addressed by the Town.

Ms. Lisa Baio, Resident of Wethersfield addressed the Commission. Her mother lives at the Ridge at Elm and she is also concerned about the traffic issues on Elms Street Extension. She has a daughter in a motorized wheelchair who occasionally visits her grandmother and it is very dangerous for her to get up that street from the bus stop. She is almost invisible to traffic. People have a hard time noticing her as she goes up Elm Street Extension. She wonders who will be responsible if something happens to someone traveling that road in a wheelchair.

Ms. Alice Cronin of 29 Dogwood Court addressed the Commission. It is her granddaughter who travels the road in a motorized wheelchair. She said she, herself has gotten stuck on that road three separate times. These residents are traveling up and down this street every day and they are just asking the Commission to consider their safety. When they moved in to their homes, they didn't have that much traffic on the street.

Mr. Bill Shulman of 27 Dogwood Court addressed the Commission. He travels up and down Elm Street Extension several times a day and it is not a street that needs more traffic, congestion and entrance drives. He submitted pictures of the road taken in February of 2014. The roadway is blocked by snow on the sides making it difficult to turn in and out. He showed pictures of the traffic exiting the Dunkin' Donuts along with others showing the traffic congestion in the area. He thought he heard that the entrance to this development was being moved closer to the Dunkin' Donuts entrance and he wondered what the distance between the two driveways will be. For the reasons he stated, Mr. Shulman asked that the settlement be denied.

Mr. Tom Cardini of 10 Dogwood Court addressed the Commission with his concerns about the traffic safety on Elm Street Extension. He feels repairs should be made regardless of whether or not this settlement is approved. This is one of the steepest roads in Rocky Hill. If they approve this building there will be an increase in traffic accidents at the intersection of Cromwell Avenue and Elm Street Ext; maybe even a fatality. There are a lot of emergency vehicles going up and down the street to get to the Atrium and emergencies at the Ridge at Elm. This development is not a low intensity development. It will add a significant number of cars to a road that is already in need of improvements.

Mr. Joe Scalzo of 11 Dogwood Court said he wanted to address a comment made by a previous speaker about any instances that could affect traffic on the street. Customers and employees of Alta Moda occasionally park in the Dunkin' Donuts lot and he has seen them running across the street in order to avoid being hit by cars. He respects the opinion of the Traffic Engineers but they don't live at the Ridge at Elm. Over the past 10 years the traffic situation has gotten worse and worse. He asked the Commission to deny this settlement agreement.

Mr. Anthony Mandeel addressed the Commission as a Resident and Business Owner in the Community. He is in support of the development. The property is zoned for a commercial use and the property owner is willing to work with the Town. He asked the Town to work with the owner to come up with some way of satisfying both sides.

An unidentified Resident of the Ridge at Elm addressed the Commission with his concerns about the traffic on Elm Street Extension. He thinks the road should be fixed before more developments are added. This is a dangerous road that does not need more traffic added. He asked for the Commission's support of the residents living on this street.

Mr. Larry DeBears of 909 Highpoint Drive addressed the Commission in support of this settlement agreement. This project fits the Zoning that has been established for this property. They are not asking for any variances or bending of the rules to get this approval. The owner has agreed to decrease the size of the project, thereby decreasing traffic. When the original application was denied there were two major objections. There were concerns that the building would obscure site lines from the homes to the west. The owner produced photos showing that the proposed building would not obscure any views. The second objection was about the traffic flow and the additional traffic would result in unacceptable traffic jams on Elm Street Extension. The Traffic Study states that no such traffic jams would result. Mr. DeBears said the Commission should also consider "common sense". The only time he ever saw a back up of cars is in the early morning during rush hour. During the rest of the day there is minimal traffic. Most of the traffic generated by this building would be office staff arriving for work and clients arriving for appointments going up the hill, not interfering with traffic coming down the hill. He doesn't think the traffic leaving the building will cause any problems at other times during the day. He urged the Commission to get an independent traffic study to confirm the result of the owner's traffic study. He also suggested talking to the State Department of Transportation about making improvements to the intersection.

Mr. DeBears pointed out that this Commission is being asked to make a judgment on a settlement agreement, not a new application. It is this Commission's charge to consider the rights of the developer and the rights of the public. It is his opinion that the proposal fits in the zone and would not significantly affect the traffic in the area.

Mr. Mark Rueger of 1175 Elm Street Extension addressed the Commission. He has lived on this hill his whole life and it is a very dangerous road. More traffic is only going to make things worse. There is no center line painted on the street and there are times when the sun is right in your eyes as you go up that hill.

Mr. Dan Filomena of 109 Peria Drive addressed the Commission. He understands the concerns of the residents that live on that street but the reality is that this property is zoned for a commercial use. Mr. Cavaliero has been a respected member of the Town who gives back to the community and it would benefit the Town to work with him to get this property developed.

Another unnamed Resident addressed the Commission and pointed out that not one of the people who spoke in favor of this project lives at the Ridge at Elm. He doesn't think the 1,500 sq. ft. reduction will make much of a difference.

Ms. Mariner addressed the Commission to clarify remarks made by Mr. Larry DeBear. She said this application will not go in front of the State Traffic Administration for a permit because Elm Street Extension is a Town road. Mr. Bongiovanni referred to the homes at the Ridge at Elm as ranches; they are two-story homes. Also he took photos of the views from some of the Ridge at Elm's yards and these are private homes. She wondered if Mr. Bongiovanni had permission from the homeowners to go on the properties of 63 and 65 Dogwood Court.

Attorney DeCrescenzo asked that the public hearing be continued so they can have their Traffic Engineer attend with the signed, revised Traffic Study. Also, they have no objection to an independent traffic study but would like to discuss the cost. He said this has not been agreed upon by anyone; it is only a proposed settlement agreement that they are presenting. The Court has encouraged them to attempt to settle this matter without going to trial and that is why they are here.

Commissioner Comment and Questions

Vice Chairman Clements asked the Applicant to answer a few questions brought up by the public, including the distance between their drive and the Dunkin' Donuts and the slope of Elm Street Extension. Mr. Alan Bongiovanni said the slope of Elm Street Extension varies but it is about 13% or 13.4% in areas. The driveway location did not move and the distance between both drives is about 65-70'.

The Commissioners agreed that they would like to hear from the Traffic Engineer and also get an independent Traffic Study done.

Commissioner Casasanta made a MOTION to recess the public hearing for Proposed settlement of zoning appeal entitled Elm Street Ext, Rocky Hill, LLC v. Rocky Hill Planning and Zoning Commission, with the appellant Elm Street Ext Rocky Hill LLC, proposing to resolve and settle its pending zoning appeal by revising the plans it originally submitted in August 2013, and denied November 6, 2013, as part of its application for a Special Permit and Site Plan approval for a medical office building with associated site improvements with frontage on Elm Street Extension, Rocky Hill and that they hire their own Traffic Consultant to perform a Traffic Study at the expense of the Applicant. No Second. MOTION FAILED.

A MOTION was made by Vice Chairman Clements to request an independent traffic study for the sake of studying the impact this proposed new development will have on the intersection of Elm Street Extension and Cromwell Avenue. Seconded by Commissioner Casasanta. Mrs. Ricci said Chapter 114 of the Town Code does allow for peer reviews and any technical assistance shall be multiplied by 150% and shall be paid by the Applicant. Any excess monies shall be refunded to the Applicant. Vice Chairman Clements said there are a lot of concerns about the traffic on this street and he is hoping that the Independent Traffic Study will settle the matter one way or another. All the Commissioners were in agreement with asking for the independent traffic study and the comments made by Vice Chairman Clements. **All were in favor, MOTION CARRIED UNANIMOUSLY.**

A MOTION was made by Commissioner Zarrilli to recess the public hearing. No Second, MOTION FAILS.

Vice Chairman Clements said the public raised a lot of questions about the legality of this hearing. He asked that the Town Attorney respond to these claims. Commissioner Zarrilli said there were a lot of concerns about the present conditions on Elm Street Extension and he wondered if Staff could address these concerns. Atty. DeCrescenzo said those comments are not part of this settlement agreement. Mrs. Ricci said she did take note of the concerns of the public outside of this application and these issues will be forwarded to the proper Departments.

A MOTION was made by Commissioner Zarrilli to recess the public hearing for Proposed settlement of zoning appeal entitled Elm Street Ext, Rocky Hill, LLC v. Rocky Hill Planning and Zoning Commission, with the appellant Elm Street Ext Rocky Hill LLC, proposing to resolve and settle its pending zoning appeal by revising the plans it originally submitted in August 2013, and denied November 6, 2013, as part of its application for a Special Permit and Site Plan approval for a medical office building with associated site improvements with frontage on Elm Street Extension. Seconded by Commissioner D'Agostino. All were in favor, MOTION CARRIED UNANIMOUSLY.

A MOTION was made by Commissioner Zarrilli for a 5-minute recess. Seconded by Commissioner Casasanta. All were in favor, MOTION CARRIED UNANIMOUSLY.

A MOTION was made by Commissioner Zarrilli to come out of recess. Seconded by Commissioner D'Agostino. All were in favor, MOTION CARRIED UNANIMOUSLY.

B. Proposed Zoning Regulation Amendments, Town of Rocky Hill, proposing to add to the Rocky Hill Zoning Regulations, Section 3.4.8 as follows:

3.4.8. A single temporary structure, including membrane structures, no larger than 200 sq. ft. will be allowed on a Residentially Zoned Property for no more than 6 months in any 12 month period. Temporary structure permits shall be obtained from the Planning and Zoning Department. This Section is not applicable to farms, either existing as of the effective date of this Regulation and/or possible future farms as defined by the Zoning Regulations.

Ms. Ricci said at the last meeting they discussed what does or does not require a building permit. She pointed out that anything requiring a building permit is not under the jurisdiction of this Commission. She feels the wording used in this proposed change adequately addressed temporary structures being used by farms. The word "temporary" in the regulation is referring to the amount of time the structure is on the property. The Commissioner discussed how this Regulation change would apply to different situations.

A MOTION was made by Commissioner Zarrilli to close the public hearing for Proposed Zoning Regulation Amendments, Town of Rocky Hill, proposing to add to the Rocky Hill Zoning Regulations, Section 3.4.8 as follows:

3.4.8. A single temporary structure, including membrane structures, no larger than 200 sq. ft. will be allowed on a Residentially Zoned Property for no more than 6 months in any 12 month period. Temporary structure permits shall be obtained from the Planning and Zoning Department. This Section is not applicable to farms, either existing as of the effective date of this Regulation and/or possible future farms as defined by the Zoning Regulations.

Seconded by Vice Chairman Clements. All were in favor, MOTION CARRIED UNANIMOUSLY.

2. CALL TO ORDER

Chairman Desai called the regular meeting to order.

3. PUBLIC

No public comment.

4. ADOPT THE AGENDA

A MOTION was made by Vice Chairman Clements to adopt the Agenda. Seconded by Commissioner Zarrilli. All were in favor, MOTION CARRIED UNANIMOUSLY.

5. CONSENT AGENDA

A. Minutes and Working Notes from May 21, 2014

B. Minutes and Working Notes from June 4, 2014

C. Accessory Apartment Request for James Waltman, proposing a efficiency, one bedroom apartment on the lower level of an existing residence of approximately 24 % of the GFA for property located at 10 Andover Drive in a R-20 Residential Zoning District; ID # 11=-028;

A MOTION was made by Commissioner Zarrilli to adopt the Consent Agenda. Seconded by Vice Chairman Clements. Vice Chairman Clements said he was not at the June 4th meeting but he did review the minutes and view the video tape. All were in favor, MOTION CARRIED UNANIMOUSLY. The following items were approved on the Consent Agenda:

A. Minutes and Working Notes from May 21, 2014

B. Minutes and Working Notes from June 4, 2014

C. Accessory Apartment Request for James Waltman, proposing a efficiency, one bedroom apartment on the lower level of an existing residence of approximately 24 % of the GFA for property located at 10 Andover Drive in a R-20 Residential Zoning District; ID # 11=-028;

6. AGENDA ITEMS

A. Proposed settlement of zoning appeal entitled Elm Street Ext, Rocky Hill, LLC v. Rocky Hill Planning and Zoning Commission, with the appellant Elm Street Ext Rocky Hill LLC, proposing to resolve and settle its pending zoning appeal by revising the plans it originally submitted in August 2013, and denied November 6, 2013, as part of its application for a Special Permit and Site Plan approval for a medical office building with associated site improvements with frontage on Elm Street Extension, Rocky Hill, CT and designated as Assessor's ID # 12-157;

This public hearing was recessed.

B. Proposed Zoning Regulation Amendments, Town of Rocky Hill, proposing to add to the Rocky Hill Zoning Regulations, Section 3.4.8 as follows:

3.4.8. A single temporary structure, including membrane structures, no larger than 200 sq. ft. will be allowed on a Residentially Zoned Property for no more than 6 months in any 12 month period. Temporary structure permits shall be obtained from the Planning and Zoning Department. This Section is not applicable to farms, either existing as of the effective date of this Regulation and/or possible future farms as defined by the Zoning Regulations.

A MOTION was made by Commissioner Zarrilli to approve the Proposed Zoning Regulation Amendments, Town of Rocky Hill, proposing to add to the Rocky Hill Zoning Regulations, Section 3.4.8 as follows:

3.4.8. A single temporary structure, including membrane structures, no larger than 200 sq. ft. will be allowed on a Residentially Zoned Property for no more than 6 months in any 12 month period. Temporary structure permits shall be obtained from the Planning and Zoning Department. This Section is not applicable to farms, either existing as of the effective date of this Regulation and/or possible future farms as defined by the Zoning Regulations.

Seconded by Commissioner D'Agostino. All were in favor, MOTION CARRIED UNANIMOUSLY.

C. Presentation and Discussion on signs, Business Now!

Mr. Scott Coleman addressed the Commission representing Business Now!, 21 New Britain Avenue to talk about signage. Commissioner members received copies of his presentation. He also distributed copies of Wayfinding Signage Programs used in Wethersfield, Connecticut and Hillsboro, North Carolina. Mr. Coleman said he made a presentation to this Commission about a year ago requesting revisions to the Town's signage regulations. No changes to the signage regulations have been made since 2007. The Economic Development Committee was asked to create a new signage plan a year ago. The EDC then asked the Planning and Zoning Commission to update the signage regulations. The revision of the signage regulations is important to the entire community and it shouldn't take 10 years to make the changes. The Plan

of Conservation and Development only mentions signage 3 times in its 100 pages and not one of the recommendations regarding signage was actually implemented.

Mr. Coleman asked that the Planning and Zoning Commission write a letter to the EDC, which is the marketing arm for Rocky Hill, puts together a comprehensive town-wide signage plan. Right now the signage regulations are dated. They don't address digital signs. They aren't founded on any technical studies that the signage industry uses. They aren't based on any input from the Community. The economic and environmental climate has changed over the past decade. He is recommending that the EDC form a task force made up of professionals who understand signage and enlisting the help of a consultant to come up with a Master Signage Plan.

Mr. Coleman read a letter into the record from Mr. Michael Bocchini, former Chairman of the EDC. The letter stated that it was the intention of the EDC at the time of his tenure to embark on a systematic review of town-wide signage, followed by development of a comprehensive signage plan. Mr. Coleman said he received 18 signatures from business in town that are in favor of revising the signage regulations.

7. ANY OTHER BUSINESS

A. Status Update and Recommendation to Town Council - Plan of Conservation and Development

Mrs. Ricci said the Town Council awarded the RFQ for the update of the Plan of Conservation and Development to Planimetrix. There was a discussion of possible meeting dates between the Planning and Zoning Commission and Planimetrix. The Commission is short one alternate and Mrs. Ricci asked that the Chairman petition the Town Council to appoint another member.

The meetings with Planimetrix will begin in July, with the actual dates to be determined. The public will have the opportunity to comment when possible and when the final draft is ready there will be a public hearing held.

8. COMMUNICATIONS

None.

9. APPROVE BILLS

None.

10. ADJOURN

A MOTION was made by Commissioner Zarrilli to adjourn the meeting. Seconded by Commissioner D'Agostino. All were in favor, MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 9:53 p.m.

Respectfully Submitted,

Eileen A. Knapp
Recording Secretary